

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2018

CORAM:

THE HON'BLE MR. JUSTICE SATRUGHANA PUJAHARI

W.P. No.16278 of 2018  
and  
WMP.No.19382 of 2018

Dr.J.Mary Stella

... Petitioner

Vs.

1. The Director of Collegiate Education,  
College Road, Chennai-6.
2. The Joint Director of Collegiate Education,  
Rani Anna College Campus,  
Thirunalveli-8.
3. The Secretary,  
Nazareth Margoschis College,  
Pillaiyanmanai,  
Nazareth. ... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue WRIT OF MANDAMUS directing the respondents 1 and 2 to approve the appointment of the petitioner as Assistant Professor as per the appointment order dated 13.12.2017 and pay the salary with effect from 14.12.2017, based on the proposal sent on 06.06.2018 by the 3<sup>rd</sup> respondent college.

For petitioner : Mr.K.Sathish Kumar

For Respondent : Mrs.P.Kavitha (R1 and R2)  
Government Advocate

Mr.Bharathi Rajan (R3)

O R D E R

This Writ Petition has been filed seeking for a direction to the respondents 1 and 2 to approve the appointment of the petitioner as Assistant Professor as per the appointment order dated 13.12.2017 and pay the salary to the petitioner with

effect from 14.12.2017, based on the proposal sent on 06.06.2018 by the 3<sup>rd</sup> respondent college.

2. Mrs.P.Kavitha, learned Government Advocate takes notice for the respondents 1 and 2. Mr.S.Bharathi Rajan learned counsel takes notice for the third respondent.

3. By consent of both sides, this Writ Petition is taken up and disposed of at the stage of admission itself.

4. The grievance of the petitioner is that though he was appointed as Assistant Professor, English Department and a proposal for such appointment has been sent to the respondents 1 and 2 by the third respondent on 06.06.2018, seeking approval of his appointment, no action on the same have been taken till date. Hence, he made a representation in this regard on 06.06.2018 to the second respondent. Since, no orders have been passed, the petitioner has come forward with this Writ Petition seeking for the aforesaid relief.

5. The learned Government Advocate who accepts notice on behalf of the respondents 1 and 2 would submit that if the proposal has been reached, the respondents 1 and 2 will take the decision on the same in accordance with law.

6. It is seen that the proposal has been sent by the third respondent to the respondents 1 and 2. But, it is not known whether the same has been reached to the respondents 1 and 2. But, however, the learned Government Advocate appearing for the respondents 1 and 2 would fairly submit that if such proposal is reached, the same shall be considered in accordance with law.

7. Considering the said submission made by the learned Government Advocate, this Writ Petition is disposed of with a direction to the respondents 1 and 2 to consider the proposal sent by the third respondent on 06.06.2018, on merits and in accordance with law, if the same is received by the respondents 1 and 2, within a period of 12 weeks from the date of receipt of a copy of this order. However, it is made clear that this Court has expressed no opinion on the merits of the proposal. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CCC)

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Sub Assistant Registrar

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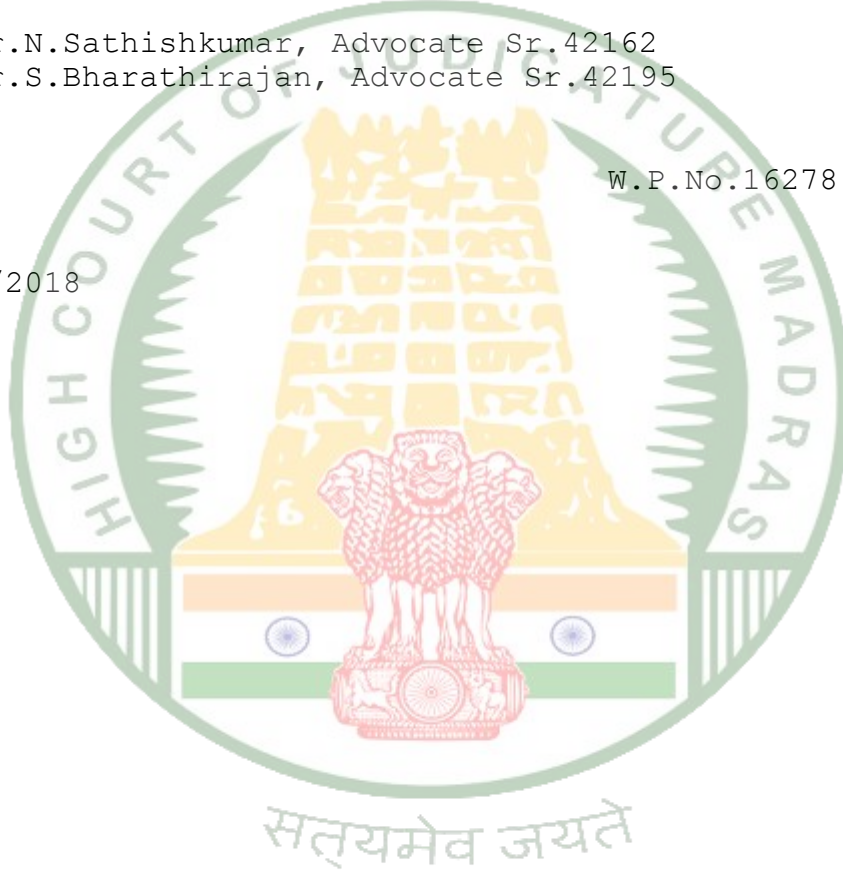
To

1. The Director of Collegiate Education,  
College Road, Chennai-6.
2. The Joint Director of Collegiate Education,  
Rani Anna College Campus,  
Thirunalveli-8.

+1cc to Mr.N.Sathishkumar, Advocate Sr.42162  
+1cc to Mr.S.Bharathirajan, Advocate Sr.42195

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srg 12/07/2018



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